

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 05-6014-01-CR-SJ-GAF</b>
	)	
<b>NATHAN D. ALITZ,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Now pending before the Court is defendant's Motion to Suppress Evidence and Supplemental Motion to Suppress Evidence. Defendant seeks to suppress all evidence obtained during a search of the pickup truck conducted on August 10, 2004.

On December 1, 2005, an evidentiary hearing was held on defendant's original motion to suppress.

On January 27, 2006, United States Magistrate Judge Sarah W. Hays issued her Report and Recommendation. On February 10, 2006, defendant's Objections to the Report and Recommendation were filed.

Upon careful and independent review of the pending motions and suggestions in support thereof, defendant's objections to the Magistrate's Report and Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Sarah W. Hays.

Accordingly, it is hereby ORDERED that defendant's Motion to Suppress Evidence and Supplemental Motion to Suppress Evidence are OVERRULED and DENIED.

SO ORDERED.

/s/ Gary A. Fenner  
GARY A. FENNER, JUDGE  
United States District Court

DATED: February 16, 2006